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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [KDEM](#) [KCOR](#) [AJ](#)  
SUBJECT: FORMER MINISTER FARHAD ALIYEV'S TRIAL SET FOR MAY  
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Classified By: Ambassador Anne E. Derse for Reasons 1.4 (b) and (d).

¶1. (C) Elton Guliyev, the principal defense lawyer for detained former Minister of Economic Development Farhad Aliyev, reports that the Baku Court of Grave Crimes has set May 15, 2007 as the preliminary hearing date for Aliyev's long awaited trial. Aliyev's 18-month pretrial detention is set to expire on April 19 at 1300. The GOAJ Prosecutor turned the case over to the Court on April 12 and by doing so ensured that Aliyev could lawfully remain in judicial custody (as opposed to pretrial detention) until the May 15 start date of the trial.

¶2. (C) Guliyev reports that the GOAJ will prosecute Aliyev on corruption charges (illegal sale of state assets) and not coup plot charges, akin to the process applied in the trial of former Health Minister Ali Insanov. However, Guliyev said the coup charges remain on the charge sheet. He believes that the GOAJ has kept the charges on the books in order to justify the 18-month pretrial detention period; absent the coup charges, Aliyev's pretrial detention period would have expired after 12 months in October 2006. Guliyev said that the charges filed against Aliyev are voluminous (reportedly 339 volumes of material) and for this reason, Guliyev had requested that the Court grant Aliyev's counsel sufficient time to review the charges and prepare a defense, which perhaps contributed to the Court's decision to delay the proceedings until mid-May.

¶3. (C) Aliyev's upcoming trial has been largely obscured in the local press by the ongoing trial of former Health Minister Ali Insanov and its explosive allegations. We understand that a verdict is expected in the Insanov case on April 20 (septel). We further understand that Aliyev's trial will be open to outside observers. Poloff will raise the upcoming trial in a meeting next week with GOAJ First Deputy Prosecutor General Usubov to underscore the importance of due process and proper conduct of the proceedings. Post will send the Department proposed guidance on the Aliyev case septel and will continue to monitor and report accordingly.  
DERSE